

REMARKS

Reconsideration of the application is requested.

Applicants appreciatively acknowledge the Examiner's confirmation of receipt of applicants' claim for priority under 35 U.S.C. § 119(a)-(d).

Claims 1-7 remain in the application. Claims 1-7 are subject to examination. Claim 1 has been amended.

Under the heading "Specification" on page 2 of the above-identified Office Action, the Examiner objected to the title. The title has been amended to be more descriptive.

Under the heading "Claim Rejections - 35 USC § 102" on pages 2 and 3 of the above-identified Office Action, claims 1-3 and 6 have been rejected as being fully anticipated by U.S. Patent No. 5,714,915 to Brilka (hereinafter Brilka) under 35 U.S.C. § 102.

The rejection has been noted and claim 1 has been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found on page 5, lines 5-16 and on page 12, lines 19-23 of the specification of the instant application.

According to the invention of the instant application, a voltage controlled oscillator (VCO) circuit has a first voltage-controlled capacitor and a second voltage-controlled capacitor connected in parallel. The first voltage-controlled capacitor is configured for setting an oscillation frequency of an LC resonator. For deattenuation purposes, a deattenuation amplifier is coupled to the resonator and provides a negative impedance, thus enabling oscillating conditions. The second voltage-controlled capacitor has a control terminal which is coupled to a supply voltage terminal. The supply voltage terminal is also coupled to the deattenuation amplifier for supplying the oscillator circuit. By connecting the control terminal of the second voltage-controlled capacitor, directly or indirectly, to the supply voltage, the capacitance of the second voltage-controlled capacitor is a function of the magnitude of the control voltage. By doing this, frequency deviations that would normally be caused by supply voltage fluctuations are compensated for in a simple manner. All of these features are believed to be recited in amended claim 1 of the instant application.

In summary, in the invention of the instant application, variations of the supply voltage, for example, depending on a

charging state of a battery supplying the supply voltage, do not have an undesired effect on the frequency produced by the oscillator circuit. In contrast thereto, the frequency can be controlled independently from the magnitude of the supply voltage provided.

In contrast, Brilka cited by the Examiner relates to an oscillator. The oscillator according to Brilka is of a parallel resonator LC type. It is important to note that the invention according to Brilka relates to an oscillator having first frequency determining elements for providing a first oscillation frequency and at least second frequency determining elements connected for adjusting the oscillator to a second oscillation frequency. It is derived from the specification of Brilka that the circuit provides different frequency bands, namely two different frequency ranges which each have a tunable frequency, respectively. The focus of Brilka relates to the switching problem between these different oscillation frequencies. Switching in Brilka is performed by switching diodes 25, 26. The diodes 25, 26 are activated and deactivated via many current sources. By doing this, switching between the first oscillation frequency and the second oscillation frequency does not result in an uncontrolled influence on the operating conditions. This is explained in detail, for example, in column 1, lines 5 to 35

of Brilka.

It is important to note that the control terminal of the second voltage-controlled capacitance 23, 24, namely circuit node 39 of Brilka, does not provide a control voltage which is directly or indirectly, related to the supply voltage of the circuit. In contrast to this, at the control node of the second voltage-controlled capacitances, within the second voltage control range, an adjusting voltage is superimposed by driver stage 45, which makes it possible to switch between the first and second frequency control ranges without having undesired effects on the operating point. This is explained, for example, in column 5, lines 16 to 22 of Brilka.

Consequently, Brilka is not believed to teach any compensation methodology that would compensate for frequency deviations caused by supply voltage variations. Brilka is completely silent on the aspect of providing a stable output frequency independent of supply voltage variations. Furthermore, Brilka is completely silent on any problems caused by supply voltage variations at all.

It is further stated that the person skilled in the art of radio frequency oscillators recognizes that, in the figure of Brilka, the control terminal of the second voltage-controlled

capacitor 23, 24 is a common anode, namely circuit node 39. At this terminal, a superimposed signal containing a bias voltage and an adjusting voltage is provided to control the capacitance value. Therefore, it is believed that a person skilled in the art is not taught explicitly nor implicitly by Brilk that, at the control terminal of the second voltage-controlled capacitor, a signal derived from supply voltage is supplied. In any case, Brilka is not believed to teach, using at the second voltage-controlled capacitance, a voltage derived from the supply voltage to compensate for supply voltage variation induced frequency variations.

In summary, it is respectfully believed that amended claim 1 overcomes the 35 USC § 102 rejection.

Under the heading "Claim Rejections - 35 USC § 103" on pages 3 and 4 of the above-identified Office Action, claim 3 (its believed the Examiner meant claims 4 and 5) has been rejected as being obvious over Brilka under 35 U.S.C. § 103.

Claims 4 and 5 are dependent on amended claim 1. Amended claim 1 is believed to be allowable and therefore claims 4 and 5 are also believed to be allowable.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1.

Finally, applicants appreciatively acknowledge the Examiner's statement that claim 7 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." In light of the above, applicants respectfully believe that rewriting of claim 7 is unnecessary at this time.

In view of the foregoing, reconsideration and allowance of claims 1-7 are solicited.

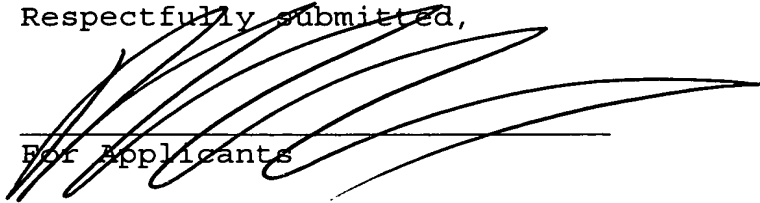
If an extension of time is required, petition for extension is herewith made. Any extension fee associated therewith should be charged to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner

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and Greenberg, P.A., No. 12-1099.

Respectfully submitted,


For Applicants

REL:cgm

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